

## **Remarks**

### **Status of the Application**

Prior to entry of this amendment, claims 10-17 and 26-32 were pending. The Office Action mailed April 27, 2010 rejected claims 10-14, 16, 17 and 26-30 under § 102(b) as being anticipated by Sherman et al. (U.S. Patent Application No. 2002/0051119), rejected claim 15 under § 103(a) as being unpatentable over Sherman, in view of Sim et al. (U.S. Patent No. 7,272,613), and rejected claims 31-32 under § 103(a) as being unpatentable over Sherman, in view of Detlef (U.S. Patent No. 6,351,532). The Office Action also objected to the specification of paragraph 0026 for an informality.

This paper amends claim 10 and cancels claim 17. Hence, after entry of this paper, claims 10-16 and 26-32 will stand pending for examination. Claim 10 is an independent claim.

### **Claim Amendments**

Claim 10 has been amended to recite "creating, at the content access point, a first list of available content objects and a respective format of each available content object, "creating, at the content access point, a second list of content object entities and one or more respective formats that each content object entity is capable of supporting," and "creating, at the content access point, a guide indicating available content objects and, for each available content object, one or more content object entities to which that content object can be directed, based at least in part on the first list and the second list." Support for these amendments can be found throughout the application as filed, including *inter alia*, in paragraph 0030.

Claim 17 has been canceled without prejudice or disclaimer.

### **Objections to the Specification**

The Office Action objected to paragraph 0026 of the specification because it used the term "a an." Paragraph 0026 has been amended to correct this typographical error. Reconsideration of the objection is respectfully requested.

Rejections under 35 U.S.C. § 102

***Claims 10-14, 16, 17 and 26-30***

Claims 10-14, 16, 17 and 26-30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sherman et al. (U.S. Patent Application No. 2002/0051119).

As amended, claim 10 recites, inter alia, "creating, at the content access point, a first list of available content objects and a respective format of each available content object," "creating, at the content access point, a second list of content object entities and one or more respective formats that each content object entity is capable of supporting," and "creating, at the content access point, a guide indicating available content objects and, for each available content object, one or more content object entities to which that content object can be directed, based at least in part on the first list and the second list." It is respectfully submitted that Sherman does not disclose these elements.

In rejecting claim 17, the Office Action asserts that Sherman teaches querying a plurality of content object entities and providing an access point that indicates the first plurality of content objects and one or more of a plurality of content object entities to which the content objects can be directed. Office Action at 6. Even assuming (without conceding) that this assertion is true, nothing in Sherman appears to disclose the technique of creating a guide indicating available content objects and, for each object, one or more content object entities to which that content object can be directed.

In particular, paragraph 0023 of Sherman, which the Office Action characterizes as disclosing "selecting a distribution method," Office Action at 6, describes only the ability to save a modified movie clip as different types of files and distributing the saved clip via email, disk, tape, or the like. This disclosure falls far short of teaching any sort of guide that indicates available content objects and the devices on which those content objects can be played. Moreover, no other portion of Sherman appears to disclose this functionality, either.

Accordingly, claim 10 is believed to be allowable over Sherman for at least these reasons. Dependent claims 11-14, 16, and 26-30 are believed to be allowable over Sherman at least by virtue of their dependence from allowable base claims.

Rejections under 35 U.S.C. § 103

***Claim 15***

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sherman in view of Sim et al. (U.S. Patent No. 7,272,613). The Office Action relies on Sim only for teaching the identification and removal of expired content objects, and Sim therefore does not supply the disclosure missing from Sherman as described above. Accordingly, claim 10, at least as amended, is believed to be allowable over the combination of Sherman and Sim, and claim 15 is allowable over the same combination at least by virtue of its dependence from claim 10.

***Claims 31-32***

Claims 31-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sherman in view of Detlef (U.S. Patent No. 6,351,523). The Office Action relies on Detlef only for teaching that content objects could be voicemail or email, and Detlef therefore does not supply the disclosure missing from Sherman as described above. Accordingly, claim 10, at least as amended, is believed to be allowable over the combination of Sherman and Detlef, and claims 31 and 32 are allowable over the same combination at least by virtue of their dependence from claim 10.

**Conclusion**

Applicant believes that the pending claims are in condition for allowance. If it would be helpful to obtain favorable consideration of this case, the Examiner is encouraged to call and discuss this case with the undersigned.

This paper constitutes a request for any needed extension of time and an authorization to charge all fees therefore to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,

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